

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In re
OPTIONABLE, INC. SECURITIES
LITIGATION**

**No. 07-cv-3753 (LAK)
NOTICE OF MOTION TO DISMISS**

TO: All Counsel of Record:

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and the accompanying Declaration of Peter J. Pizzi and the exhibits annexed thereto, defendant Albert Helmig ("Helmig"), by and through his counsel of record, Connell Foley LLP, respectfully moves this Court pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b)(2) ("PSLRA"), for an order dismissing all claims against him in the Consolidated Amended Class Action Complaint filed January 17, 2008.

DATED: New York, New York
February 15, 2008

Respectfully yours,

CONNELL FOLEY LLP

By: /s/ Peter J. Pizzi
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